

FEDERAL REGISTER

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TITLE 3—THE PRESIDENT

EXECUTIVE ORDER 10698

AMENDMENT OF EXECUTIVE ORDER NO. 10648,¹ RESTORING CERTAIN PORTIONS OF THE FORT RUGER MILITARY RESERVATION TO THE JURISDICTION OF THE TERRITORY OF HAWAII

WHEREAS by Executive Order No. 10648 of December 8, 1955, certain lands at Kapahulu, Honolulu, Island of Oahu, Territory of Hawaii, were, subject to certain limitations, restored to the possession, use, and control of the Territory of Hawaii; and

WHEREAS the descriptions of course 17 of Parcel 2 and course 2 of Parcel 3 as set forth in Part I of the said order and the descriptions of course 5 of Tract 1-A and course 11 of Tract 1-C as set forth in Part III of the said order are erroneous; and

WHEREAS it is deemed desirable and in the public interest that the said errors in description be corrected:

NOW, THEREFORE, by virtue of the authority vested in me by section 91 of the act of April 30, 1900, 31 Stat. 159, as amended by section 7 of the act of May 27, 1910, 36 Stat. 447, it is ordered as follows:

1. The description of the said course 17 of Parcel 2 is amended to read:

17. 221° 08' 50" 841.34 feet along reservation boundary to the point of beginning; and containing an area of 35.553 acres.

2. The description of the said course 2 of Parcel 3 is amended to read:

2. 359° 00' 00" 191.08 feet along Parcel 6;

3. The description of the said course 5 of Tract 1-A is amended to read:

5. 217° 18' 00" 1366.18 feet along Makapuu Avenue to the point of beginning; and containing an area of 51.628 acres.

4. The description of the said course 11 of Tract 1-C is amended to read:

11. 153° 08' 40" 361.60 feet along Diamond Head Reservoir Lot (restored to the Territory by Executive Order No. 6468, dated November 29, 1933);

DWIGHT D. EISENHOWER

THE WHITE HOUSE,

February 8, 1957.

[F. R. Doc. 57-1099; Filed, Feb. 8, 1957; 2:48 p. m.]

TITLE 7—AGRICULTURE

Chapter VII—Commodity Stabilization Service (Farm Marketing Quotas and Acreage Allotments), Department of Agriculture

PART 730—RICE

SUBPART—1957-58 MARKETING YEAR

DETERMINATION OF COUNTY NORMAL YIELDS FOR 1957 CROP

The regulations contained in § 730.807 are issued pursuant to and in conformity with the rice marketing quota provisions of the Agricultural Adjustment Act of 1938, as amended, including the amendments to section 301 of that act which are contained in section 502 of the Agricultural Act of 1956. These amendments provide definitions for county and farm normal yields as follows:

(D) "Normal yield" for any county, in the case of rice, shall be the average yield per acre of rice for the county during the five calendar years immediately preceding the year for which such normal yield is determined, adjusted for abnormal weather conditions and for trends in yields. If for any such year the data are not available, or there is no actual yield, an appraised yield for such year, determined in accordance with regulations issued by the Secretary, taking into consideration the yields obtained in surrounding counties during such year and the yield in years for which data are available, shall be used as the actual yield for such year.

(E) "Normal yield" for any farm, in the case of rice, shall be the average yield per acre of rice for the farm during the five calendar years immediately preceding the year for which such normal yield is determined, adjusted for abnormal weather conditions and for trends in yields. If for any such year the data are not available or there is no actual yield, then the normal yield for the farm shall be appraised in accordance with regulations issued by the Secretary, taking into consideration abnormal weather conditions, trends in yields, the normal yield for the county, the yields obtained on adjacent farms during such year and the yield in years for which data are available.

(F) In applying subparagraphs (D) and (E), if on account of drought, flood, insect pests, plant disease, or other uncontrollable natural cause, the yield for any year of such five-year period is less than 75 per centum of the average, 75 per centum of such average shall be substituted therefor in calculation.

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¹ 20 F. R. 9287; 3 CFR, 1955 Supp., p. 101.



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lating the normal yield per acre. If, on account of abnormally favorable weather conditions, the yield for any year of such five-year period is in excess of 125 per centum of the average, 125 per centum of such average shall be substituted therefor in calculating the normal yield per acre.

Prior to the issuance of the regulations for determining county normal yields for 1957 and the determination of county normal yields thereunder, public notice (21 F. R. 7025) was given in accordance with the provisions of the Administrative Procedure Act (5 U. S. C. 1003). The data, views, and recommendations pertaining thereto which were submitted have been duly considered within the limits permitted by the Agricultural Adjustment Act of 1938, as amended.

Section 730.807 is issued to provide the regulations for determining county normal yields and to proclaim the yields for the 1957 crop of rice determined thereunder.

§ 730.807 *County normal yields for 1957 crop rice*—(a) *Regulations*. County normal yields for 1957 crop rice shall be determined by computing the average yield per planted acre of rice for each county producing rice during the years 1952 through 1956, adjusted for abnormal weather conditions and other uncontrollable natural causes and for trends in yields. Where data for any year are not available, or there was no actual yield, an appraised yield for such year shall be determined on the basis of the yields obtained in surrounding counties during such year and the yield in years for which data are available. Adjustments for abnormal weather conditions and other uncontrollable natural causes shall be made as follows: For any annual yield, including an appraised yield, which is less than 75 per centum of the 5-year (1952-56) average yield, 75 per centum of such average shall be substituted therefor; and for any annual yield, including an appraised yield, which is in excess of 125 per centum of the 5-year (1952-56) average yield, 125 per centum of such average yield shall be substituted therefor. The adjustment for trends in yields shall be made by computing the simple average of (1) the average yield per planted acre of rice for the county during the 5 calendar years 1952-56, adjusted for abnormal weather conditions and other uncontrollable natural causes as provided in the preceding sentence, and (2) the average yield per planted acre of rice for the county during the 2 calendar years 1955 and 1956, similarly adjusted.

(b) *Proclamation of county normal yields*. County normal yields for 1957 crop rice, determined in accordance with paragraph (a) of this section, are as follows:

ARKANSAS

County (pounds)	Normal yield	County (pounds)	Normal yield
Arkansas	2,968	Cross	2,686
Ashley	2,670	Dallas	2,608
Chicot	2,705	Desha	2,622
Clark	2,748	Drew	2,674
Clay	2,662	Faulkner	2,692
Conway	2,587	Grant	2,551
Craighead	2,860	Greene	2,698
Crittenden	2,814	Hot Spring	2,598

ARKANSAS—Continued

County (pounds)	Normal yield	County (pounds)	Normal yield
Independence	2,582	Mississippi	2,734
Jackson	2,789	Monroe	2,740
Jefferson	2,580	Perry	2,348
Lafayette	2,146	Phillips	2,685
Lawrence	2,688	Poinsett	2,836
Lee	2,834	Prairie	2,866
Lincoln	2,544	Pulaski	2,631
Little River	2,191	Randolph	2,680
Lonoke	2,826	St. Francis	2,746
Miller	2,344	White	2,738
		Woodruff	2,772

CALIFORNIA

County (pounds)	Normal yield	County (pounds)	Normal yield
Butte	3,646	Riverside	2,052
Colusa	3,514	Sacramento	3,400
Fresno	3,258	San Joaquin	2,894
Glenn	3,420	Solano	2,924
Imperial	1,414	Stanislaus	3,515
Kern	2,765	Sutter	3,470
Kings	1,926	Tulare	1,904
Madera	3,310	Yola	3,105
Merced	2,772	Yuba	2,750
Placer	3,244		

FLORIDA

Palm Beach	1,296
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ILLINOIS

Adams	2,888
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LOUISIANA

County (pounds)	Normal yield	County (pounds)	Normal yield
Acadia	2,608	Lafourche	2,238
Allen	2,514	Madison	2,940
Ascension	2,631	Morehouse	3,160
Assumption	2,534	Plaquemines	2,438
Avoyelles	2,660	Rapides	2,604
Beauregard	1,990	Richland	2,920
Bossier	2,682	St. Charles	2,368
Calcasieu	2,193	St. James	2,464
Cameron	2,524	St. John the Baptist	2,858
Concordia	2,912	St. Landry	2,578
East Carroll	3,322	St. Martin	2,872
Evangeline	2,548	St. Mary	2,541
Franklin	2,591	St. Tammany	2,006
Grant	2,623	Tensas	3,051
Iberia	2,500	Terrebonne	2,262
Iberville	2,724	Vermilion	2,517
Jefferson		West Carroll	3,138
Davis	2,610		
Lafayette	2,675		

MISSISSIPPI

Bolivar	2,679	Quitman	2,738
Coahoma	2,672	Sharkey	2,664
De Soto	2,767	Sunflower	2,638
Hancock	1,076	Tallahatchie	2,783
Humphreys	2,632	Tate	2,534
Issaquena	2,546	Tunica	2,798
Leflore	2,781	Washington	2,670
Panola	2,710		

MISSOURI

Butler	3,382	New Madrid	1,735
Dunklin	3,992	Pemiscot	3,016
Lewis	2,950	Ripley	2,356
Lincoln	3,170	Scott	3,466
Marion	2,788	St. Charles	3,542
Mississippi	1,602	Stoddard	2,534

NORTH CAROLINA

Hyde	2,095
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OKLAHOMA

McCurtain	2,346
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SOUTH CAROLINA

County (pounds)	Normal yield	County (pounds)	Normal yield
Berkeley	1,962	Georgetown	1,212
Charleston	1,252	Horry	1,940
Colleton	1,269	Jasper	1,690

TENNESSEE

County (pounds)	Normal yield	County (pounds)	Normal yield
Dyer	1,934	Lauderdale	2,908
Fayette	1,963		

TEXAS

County (pounds)	Normal yield	County (pounds)	Normal yield
Austin	2,961	Lavaca	2,828
Bowie	2,530	Liberty	2,628
Brazoria	2,699	Matagorda	2,936
Calhoun	2,715	Nilam	2,800
Chambers	2,534	Newton	2,696
Colorado	3,011	Orange	2,472
Fort Bend	2,823	Polk	2,398
Galveston	2,586	San Jacinto	2,414
Hardin	2,797	Victoria	2,937
Harris	2,898	Walker	2,719
Jackson	3,060	Waller	2,956
Jasper	2,472	Washington	3,070
Jefferson	2,550	Wharton	2,944

(Sec. 375, 52 Stat. 66, as amended; 7 U. S. C. 1375. Interprets or applies sec. 301, 52 Stat. 38, as amended, 70 Stat. 212; 7 U. S. C. 1301.)

Done at Washington, D. C., this 6th day of February 1957.

[SEAL]

TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 57-1056; Filed, Feb. 11, 1957;
8:47 a.m.]

Chapter VIII—Commodity Stabilization Service (Sugar), Department of Agriculture

Subchapter H—Determination of Wage Rates [Sugar Determination 868.9]

PART 868—SUGARCANE; VIRGIN ISLANDS CALENDAR YEAR 1957

Pursuant to the provisions of section 301 (c) (1) of the Sugar Act of 1948, as amended, (herein referred to as "act"), after investigation, and consideration of the evidence obtained at the public hearing held in Christiansted, St. Croix, Virgin Islands, on October 30, 1956, the following determination is hereby issued.

§ 868.9 *Fair and reasonable wage rates for persons employed in the production, cultivation, or harvesting of sugarcane in the Virgin Islands during the calendar year 1957*—(a) *Requirements*. A producer of sugarcane in the Virgin Islands shall be deemed to have complied with the wage provisions of the act during the calendar year 1957 if all persons employed on the farm in the production, cultivation, or harvesting of sugarcane shall have been paid in accordance with the following:

(1) *Wage rates*. All such persons shall have been paid in full for all such work and shall have been paid wages in cash therefor at rates as agreed upon between the producer and the worker, but after the date of publication of this determination in the FEDERAL REGISTER not less than the following:

(i) *Basic time rates*. The basic rates per hour for the first 8 hours of work performed in any 24-hour period shall be as follows:

Class of worker:	Basic rate per hour
A—Operators of mechanical loaders	\$0.65
B—Operators of tractors and trucks	.50
C—Chemical sprayers	.43
D—All others	.40

(ii) *Apprentice operators of mechanical loaders and tractors.* For a learner or apprentice the hourly wage rate for Class A work in subdivision (i) of this subparagraph may be reduced by not more than 15 cents per hour, and the hourly rate for Class B work in subdivision (i) of this subparagraph may be reduced by not more than 10 cents per hour: *Provided*, That the training period for such workers shall not exceed six work-weeks and: *Provided further*, That the employer shall have available for examination by the local supervisor of the Caribbean Area Agricultural Stabilization and Conservation Office, San-turce, Puerto Rico (herein referred to as "Area Office"), a certification of learner or apprentice status as required by applicable Municipal or Territorial laws or regulations.

(iii) *Handicapped workers.* For an individual whose productive capacity is impaired by age or physical or mental deficiency the hourly wage rates provided under subdivision (i) of this subparagraph may be decreased by not more than one-third: *Provided*, That the employer shall have available for examination by the local supervisor of the Area Office, a certification of individual worker impairment as required by applicable Municipal or Territorial laws or regulations.

(iv) *Overtime.* Persons employed in excess of 8 hours in any 24-hour period or in excess of 44 hours in any one week shall be paid for the overtime work at a rate not less than one and one-half times the applicable hourly rate provided in subdivisions (i), (ii), and (iii) of this subparagraph: *Provided*, That this provision shall be inapplicable to workers who are employed under extraordinary emergencies as defined in applicable Municipal or Territorial laws or regulations.

(v) *Piecework rates.* If work is performed on a piecework basis, the rate shall be as agreed upon between the producer and the worker: *Provided*, That the hourly rate of earnings for each worker employed on piecework during each pay period (such pay period not to be in excess of two weeks) shall average for the time involved not less than the applicable hourly rate provided under subdivisions (i), (ii), (iii), and (iv) of this subparagraph.

(2) *Compensable working time.* For work performed under subparagraph (1) of this paragraph, compensable working time includes all time which the worker spends in the performance of his duties except time taken out for meals during the work day. Compensable working time commences at the time the worker is required to start work in the field and ends upon completion of work in the field. However, if the producer requires the operator of mechanical equipment, driver of animals, or any other class of worker to report to a place other than the field, such as an assembly point, stable, tractor shed, etc., located on the farm, the time spent in transit from such place to the field and from the field to such place is compensable working time. Any time spent in performing work directly related to the principal work

performed by the worker such as servicing equipment, is compensable working time. Time of the worker while being transported from a central recruiting point or labor camp to the farm is not compensable working time.

(b) *Subterfuge.* The producer shall not reduce the wage rates to workers below those determined herein through any subterfuge or device whatsoever.

(c) *Claim for unpaid wages.* Any person who believes he has not been paid in accordance with this determination may file a wage claim with the Area Office against the producer on whose farm the work was performed. Detailed instructions and wage claim forms are available at that office. Such claim must be filed within two years from the date the work with respect to which the claim is made was performed. Upon receipt of a wage claim the Area Office shall thereupon notify the producer against whom the claim is made concerning the representation made by the worker. The Area Office shall make such investigation as it deems necessary and shall notify the producer and worker in writing of its recommendation for settlement of the claim. If the recommendation of the Area Office is not acceptable, either party may file an appeal with the Director of the Sugar Division, Commodity Stabilization Service, U. S. Department of Agriculture, Washington 25, D. C. All such appeals shall be filed within 15 days after receipt of the recommended settlement from the Area Office; otherwise, such recommended settlement will be applied in making payments under the act. If a claim is appealed to the Director of the Sugar Division, his decision shall be binding on all parties insofar as payment under the act is concerned.

STATEMENT OF BASES AND CONSIDERATIONS

(a) *General.* The foregoing determination establishes fair and reasonable wage rates to be paid for work performed by persons employed on the farm in the production, cultivation, or harvesting of sugarcane during the calendar year 1957, as one of the conditions with which producers must comply to be eligible for payments under the act.

(b) *Requirements of the act and standards employed.* Section 301 (c) (1) of the act requires that all persons employed on the farm in the production, cultivation, or harvesting of sugarcane with respect to which an application for payment is made shall have been paid in full for all such work, and shall have been paid wages therefor at rates not less than those that may be determined by the Secretary to be fair and reasonable after investigation and due notice and opportunity for public hearing; and in making such determinations the Secretary shall take into consideration the standards therefor formerly established by him under the Agricultural Adjustment Act, as amended (i. e., cost of living, prices of sugar and by-products, income from sugarcane, and cost of production), and the differences in conditions among various producing areas.

(c) *1957 wage determination.* The 1957 wage determination continues unchanged the provisions of the 1956 wage

determination except that the basis for determining the minimum hourly guarantee of earnings for workers employed on a piecework basis is specified as a payroll period not to exceed two weeks. The provision relating to certifications for apprentice and handicapped workers has been modified to meet the provisions of existing Territorial legislation.

A public hearing was held in Christiansted, St. Croix, Virgin Islands, on October 30, 1956 at which interested persons presented testimony with respect to fair and reasonable wage rates for the calendar year 1957.

A representative of the federally-owned Virgin Islands Corporation, the largest sugarcane producer in the Virgin Islands, recommended that there be no change in the 1957 determination from that effective for 1956. The witness submitted a copy of the corporation's financial statement for the fiscal year ending June 30, 1956, which indicated that the corporation made a small profit on its sugarcane growing operations. However, he drew attention to the substantial losses incurred in the corporation's overall sugar operations and stated that under the circumstances there appeared to be no justification for increasing wages at this time. He called attention to the passage by the Legislature of the Virgin Islands of a wage and hour law establishing a 40 cent per hour minimum wage for agricultural labor, and stated that while wages presently being paid to field workers by the corporation are the highest in the West Indies, recruitment of labor in St. Croix continues to be a difficult and serious problem. He said that because of the scarcity of field workers it has not been possible to carry out all of the field operations that should be done and that there is almost a complete lack of skilled and semi-skilled labor for the operation of farm machinery and for supervisory positions. The witness stated that it will again be necessary to import 400 British West Indian laborers for harvesting the 1957 crop.

A representative of the local labor union recommended increasing the minimum wages for agricultural field workers from 40 cents to 50 cents per hour because these workers have not had an increase in wages since 1952. The witness stated that the cost of certain items which the workers must purchase, particularly food items, has increased since 1952.

A representative of the St. Croix Sugarcane Industries, Inc. recommended that the wage provisions of the 1956 fair wage determination be continued for 1957. The witness stated that his operations relating to sugar production have been moderately profitable, but only because they are carried out in conjunction with other enterprises. He also stated that he has to import labor for harvesting his sugarcane.

Consideration has been given to the recommendations made at the hearing, to the economic position of producers and workers and to other pertinent factors. Available data indicate the losses of the Virgin Islands Corporation continue to be substantial and that there is little likelihood of marked improvement during 1957.

Previous determinations provided that where workers are paid on a piecework basis the hourly earnings of each worker for the time involved on each separate unit of work were to be not less than the applicable hourly rate specified for similar work. This determination specifies that the hourly rate of earnings of each worker employed on piecework are to be determined on the basis of a payroll period not in excess of two weeks. This change will provide a more equitable and practicable basis on which to calculate the earnings of such workers.

During 1956 the Virgin Islands Legislature enacted a new minimum wage law which specifies a minimum wage rate for unskilled agricultural workers at 40 cents per hour. This act also continues in effect an ordinance of the St. Croix Municipal Council which specifies minimum wage rates for semi-skilled and skilled worker classifications, until such time as industry committees are formed under the new legislation. These industry committees will subsequently issue mandatory decrees fixing minimum wage rates and other standards in each of the industries in the Virgin Islands.

The wage rates specified in this determination conform to those provided by local legislation even though they are higher than the wage rates indicated by the standards customarily considered in wage determinations under the Sugar Act. Producers must pay to the worker in full the wages required by existing legal obligations, regardless of whether such obligations resulted from an agreement (such as a labor union agreement) or were created by statute.

After consideration of all factors, the wage rates and other provisions in this determination are deemed to be fair and reasonable.

Accordingly, I hereby find and conclude that the foregoing wage determination will effectuate the wage provisions of the Sugar Act of 1943, as amended.

(Sec. 403, 61 Stat. 932; 7 U. S. C. Supp. 1153. Interprets or applies Sec. 301, 61 Stat. 929; 7 U. S. C. Supp. 1131)

Issued this 6th day of February 1957.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 57-1057; Filed, Feb. 11, 1957;
8:48 a. m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 989—RAISINS PRODUCED FROM RAISIN VARIETY GRAPES GROWN IN CALIFORNIA

MODIFICATION OF FREE, RESERVE, AND SURPLUS PERCENTAGES FOR 1956-57 CROP YEAR

Pursuant to the applicable provisions of Marketing Agreement No. 109 and Marketing Order No. 89, as amended (20 F. R. 6435; 21 F. R. 8182), regulating the handling of raisins produced from raisin variety grapes grown in California, hereinafter referred to as the "order," effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et

sec.), hereinafter referred to as the "act," an implementing order (§ 989.211; 21 F. R. 8142) was issued on October 18, 1956, designating the percentages of each varietal type of standard raisins acquired by handlers during the crop year beginning September 1, 1956 and ending August 31, 1957, which shall be free tonnage, reserve tonnage, and surplus tonnage, respectively. It is hereby found that the application of the present volume regulation to raisins acquired by handlers on and after the effective time of this document will not tend to effectuate the declared policy of the act and that such percentages should be modified with respect thereto as set forth hereinafter.

The aforementioned existing volume regulation (expressed in terms of free, reserve, and surplus percentages) prescribes 100 percent free, 0 percent reserve, and 0 percent surplus for all varietal types of raisins other than natural (sun-dried) Thompson Seedless, and, for the varietal type last referred to, a free percentage of 73 percent, a reserve percentage of 10 percent, and a surplus percentage of 17 percent. In making the aforementioned finding, consideration was given to the fact that not only would the estimated season average grower return for all 1956 crop raisins exceed the estimated season average parity prices for raisins, but also that the estimated season average grower return for raisins of the natural (sun-dried) Thompson Seedless varietal type would exceed the equivalent parity price for such raisins. In addition, the situation is such that the prices of raisins in export outlets, to which surplus raisins have been allocated, are now equivalent to those prevailing for free tonnage raisins in Western Hemisphere outlets and hence are attracting free tonnage. Therefore, there is no reason for imposing any volume withholding requirements on any raisins acquired by handlers on and after the effective time of this document. In this connection, it is intended that appropriate action will be taken promptly as required with respect to reserve and surplus pool tonnage raisins now being held for the account of the committee which were set aside in connection with acquisitions of raisins by handlers prior to the effective time of this amendment.

Accordingly, it is hereby ordered that the provisions of § 989.211 of the aforesaid implementing order (21 F. R. 8142) be amended, effective as of the date of the publication of this document in the FEDERAL REGISTER, as follows:

Change the period at the end of said § 989.211 to a colon and add, immediately thereafter, the following: "Provided, That, for any raisins of any and all varietal types (including the natural (sun-dried) Thompson Seedless varietal type) which are acquired on and after February 12, 1957, such percentages shall be as follows: Free tonnage percentage, 100 percent; reserve tonnage percentage, zero percent; and surplus tonnage percentage, zero percent."

The actions taken herein shall not be deemed to have any of the following effects with respect to any acts or trans-

actions under the order which took place prior to the effective time of this document: (a) Affect or waive any right, duty, obligation, or liability which arose in connection with any provision of the order or any implementing order or regulation issued thereunder; (b) release or extinguish any violation of the order or any implementing order or regulation issued thereunder; or (c) affect or impair any right or remedies of the United States of America, the Secretary of Agriculture of the United States, the Raisin Administrative Committee, or any other person with respect to any such right, duty, obligation or liability under the order or of any implementing order or regulation issued thereunder.

Notice of proposed rule making, public procedure thereon, and postponement of the effective time of this document later than the date of its publication in the FEDERAL REGISTER (see section 4 of the Administrative Procedure Act; 5 U. S. C. 1001 et seq.) are impracticable, unnecessary and contrary to the public interest. It has now been determined that the estimated season average price for raisins of the 1956-57 crop year will be above parity, and the continuance of volume withholding requirements on any and all raisins acquired by handlers on and after the effective time of this document would not be in accordance with the provisions of the order and the act. Prompt action of the present nature is required in order to obviate the accumulation of additional pooled tonnage from further acquisitions. Time does not permit such action to be preceded by the aforementioned rule making actions. The demand and supply situation is such that it is urgent that all subsequent acquisitions of raisins be made available immediately to meet market demands. This action will serve to relieve handlers who are now covered under the order from certain restrictions as to future acquisitions which are now in effect and they should need no advance notice of said action.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Dated February 7, 1957, to become effective as of the date of the publication of this document in the FEDERAL REGISTER.

[SEAL] S. R. SMITH,
Director,
Fruit and Vegetable Division.

[F. R. Doc. 57-1069; Filed, Feb. 11, 1957;
8:49 a. m.]

Chapter XI—Agricultural Conservation Program Service, Department of Agriculture

[NSCP-2101, Supp. 1]

PART 1106—NAVAL STORES CONSERVATION PROGRAM

SUBPART G—1957

APPEALS

Pursuant to the authority vested in the Secretary of Agriculture under sections 7-17 of the Soil Conservation and Domestic Allotment Act, as amended, and

the Department of Agriculture and Farm Credit Administration Appropriation Act, 1957, the 1957 Naval Stores Conservation Program, approved July 20, 1956 (21 F. R. 5611), is amended by changing § 1106.830 to read as follows:

§ 1106.830 *Appeals*. Any producer may, within 15 days after notice thereof is forwarded to or made available to him, request the Regional Forester in writing to review the recommendation or determination of the Program Supervisor in any matter affecting the right to or the amount of his Federal cost-shares with respect to the producer's turpentine farm. The Regional Forester shall notify the producer of his decision in writing within 60 days after the submission of the appeal. If the producer is dissatisfied with the decision of the Regional Forester he may, within 15 days after the decision is forwarded to or made available to him, request the Chief of the Forest Service to review the case and render his decision, which shall be final.

(Sec. 4, 49 Stat. 164; 16 U. S. C. 590d. Interprets or applies secs. 7-17, 49 Stat. 1148, as amended, 70 Stat. 223; 16 U. S. C. 590g-590q)

Done at Washington, D. C., this 7th day of February 1957.

[SEAL] E. L. PETERSON,
Acting Secretary of Agriculture.

[F. R. Doc. 57-1067; Filed, Feb. 11, 1957; 8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 10]

PART 406—CERTIFICATION PROCEDURES

SUBPART C—DENIAL OF CERTIFICATES

DENIAL OF AIRMAN, AIRCRAFT, AIR CARRIER, AIR NAVIGATION, OR AIR AGENCY CERTIFICATE

Section 406.32 of this part provides for appeal of orders denying issuance or renewal of certificates. As the right of judicial review is set forth in section 1006 of the Civil Aeronautics Act of 1938, § 406.32 of this part is unnecessary and should be revoked.

This amendment does not affect the rights nor does it impose any additional burden upon interested persons, thus no useful purpose would be served by compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act; therefore, compliance is unnecessary and is not required.

Section 406.32 is revoked.

This amendment shall become effective upon publication in the FEDERAL REGISTER.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 405. Interprets or applies sec. 1006, 52 Stat. 1024, as amended; 49 U. S. C. 646)

[SEAL] JAMES T. PYLE,
Administrator of Civil Aeronautics.

[F. R. Doc. 57-1034; Filed, Feb. 11, 1957; 8:46 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 207—NAVIGATION REGULATIONS

PART 208—FLOOD CONTROL REGULATIONS

ST. MARYS FALLS CANAL, MICHIGAN, AND JAMESTOWN DAM AND RESERVOIR, NORTH DAKOTA

1. In § 207.440 (v), appearing at 22 F. R. 401, January 19, 1957, the phrase "dock winches" is corrected to read "deck winches".

2. Pursuant to the applicable provisions of sections 7 and 9 of the Act of Congress approved December 22, 1944 (58 Stat. 890, 891; 33 U. S. C. 709), the following regulations of § 208.50 are hereby prescribed to govern the use of storage capacity for flood control purposes in Jamestown Reservoir on the James River, Stutsman County, North Dakota, and the operation of Jamestown Dam for flood control purposes.

§ 208.50 *Jamestown Dam and Reservoir, James River, Stutsman County, North Dakota*. The Bureau of Reclamation, Department of the Interior, represented by its appropriate Regional Director, hereinafter referred to as the Regional Director, shall operate Jamestown Dam and Reservoir in the interest of flood control as follows:

(a) The flood control storage of the lake or reservoir which initially amounts to 200,000 acre-feet between elevation 1429.8 m. s. l. and elevation 1454.0 m. s. l. shall be regulated for flood control on the James River below the dam to effect the release of water through the river outlet works (having a capacity of 2,075 c. f. s. at elevation 1429.8 m. s. l.) as stated in the following: From the beginning of spring runoff to October 1, releases will be progressively increased, as the flood storage space is filled, and will be kept at the highest rate practicable without unduly contributing to seriously damaging stages on the James River (presently estimated as 11.8 feet on the Jamestown gage and 8.3 feet on the La-Moure gage) or, prior to mid-June, causing undue prolongation of flooding which may have resulted despite the control afforded by Jamestown Reservoir; from October 1 through November 15 releases will be maintained as necessary to evacuate the flood control pool to elevation 1,429.8 by midnight of November 15 providing that such releases will not cause the river to exceed significant damage level in the Jamestown area (presently estimated as about 11.8 feet on the Jamestown gage); from November 15 to the beginning of spring runoff releases will be made as necessary to keep the pool evacuated to elevation 1,429.8 providing that such releases will not cause Jamestown Flows to exceed 100 c. f. s.

(b) The District Engineer, Corps of Engineers, Department of the Army, in charge of the locality, hereinafter referred to as the District Engineer, shall issue the necessary instructions to the Regional Director for achievement of

flood control below the dam during flood periods and whenever the reservoir may contain impounded water in the flood control storage zone; and the District Engineer shall also issue special directions, if desirable, on the basis of flood conditions at the time, to the Regional Director for temporary modification of the provisions for flood control contained in paragraph (a) of this section. Oral instructions from the District Engineer to the Regional Director shall be confirmed in writing under the date of the day issued.

(c) The discharge characteristics of the river regulation outlet works (capable of discharging 2,750 c. f. s. at elevation 1454.0) shall be maintained in accordance with the construction plans (Bureau of Reclamation Specifications No. DC-3656).

(d) Whenever the reservoir level reaches or exceeds elevation 1429.8 or flood discharges appear imminent, the Regional Director shall report at once to the District Engineer by telephone, telegraph, or radio, and as requested thereafter until the reservoir level falls to elevation 1429.8 or below and flood discharges cease.

(e) Proposed schedules of conservation pool releases and storage changes, if available, and current operating data shall be provided to the District Engineer by the Regional Director. These data shall be tabulated daily and shall include such items as: reservoir elevation, reservoir storage, inflow, discharge, and pertinent available hydrologic data.

(f) Releases made in accordance with the regulations of this section are subject to the condition that releases shall not be made at rates or in a manner that would be inconsistent with requirements for protecting the dam and reservoir from major damages or inconsistent with the safe routing of the spillway design flood.

(g) All elevations stated in this section are at the Jamestown Dam and Reservoir and are referred to a datum giving 1454.0 as the elevation of the spillway crest on Jamestown Dam.

[Regs., January 22, 1957, ENGWE] (Secs. 7 and 9, 58 Stat. 890, 891; 33 U. S. C. 709)

[SEAL] HERBERT M. JONES,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 57-1033; Filed, Feb. 11, 1957; 8:45 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

PESSARIES FOR INTRACERVICAL AND INTRAUTERINE USE

Under the authority vested in the Secretary of Health, Education and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 701, 52 Stat. 1055 as amended; 21 U. S. C. 371) and delegated to the Commissioner of Food and Drugs by the

Secretary (20 F. R. 1996), and pursuant to the provisions of the Administrative Procedure Act (sec. 3, 60 Stat. 237, 238; 5 U. S. C. 1002), the following statement of policy is issued:

§ 3.49 *Pessaries for intracervical and intrauterine use.* (a) Because of the limited evidence previously available concerning the hazards attending the use of interacervical and intrauterine pessaries, the shipment of such devices within the jurisdiction of the Federal Food, Drug, and Cosmetic Act, with labeling limiting them to sale only on prescription, has not been subjected to regulatory proceedings. A recent survey shows that it is now the consensus of medical opinion among experts qualified

by scientific training and experience to evaluate the safety of such devices that stem-type and wing-type intracervical and intrauterine pessaries are too dangerous for use under any form of labeling and serve no useful purpose. This opinion is particularly applicable to pessaries offered or intended for contraceptive use. These views do not apply to those pessaries, made with hollow tubes, intended solely for use when necessary to maintain drainage from the uterine cavity.

(b) On the basis of this consensus of expert opinion and the supporting evidence of many known injuries, the Food and Drug Administration concludes that stem-type and wing-type intracervical and intrauterine pessaries are dangerous to health, and regardless of their label-

ing, may be shown to be misbranded within the meaning of sections 502 (f) (1) and (2) and 502 (j) of the Federal Food, Drug, and Cosmetic Act. It is recommended that distributors of these devices remove them from the interstate market at once. Regulatory action may be instituted in connection with any such devices found within the jurisdiction of the act.

(Sec. 701, 52 Stat. 1055, as amended; 21 U. S. C. 371)

Dated: January 31, 1957.

[SEAL] JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F. R. Doc. 57-995; Filed, Feb. 11, 1957; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Parts 905, 906]

[Docket Nos. AO-209-A9 and AO-A9]

MILK IN OKLAHOMA METROPOLITAN MARKETING AREA (PRESENTLY OKLAHOMA CITY AND TULSA-MUSKOGEE MARKETING AREAS)

NOTICE OF EXTENSION OF TIME FOR FILING EXCEPTIONS TO RECOMMENDED DECISION WITH RESPECT TO PROPOSED MARKETING AGREEMENT AND ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to a proposed marketing agreement and a proposed order amending the orders, as amended, regulating the handling of milk in the Oklahoma City and Tulsa-Muskogee marketing areas, which was issued January 16, 1957 (22 F. R. 405), is hereby extended to February 15, 1957.

Dated: February 7, 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 57-1071; Filed, Feb. 11, 1957; 8:49 a. m.]

[7 CFR Part 928]

[Docket No. AO-227-A7-R01]

MILK IN NEOSHO VALLEY, MARKETING AREA NOTICE OF REOPENING OF HEARING ON PROPOSED MARKETING AGREEMENT AND ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and in accordance with the applicable rules of practice and procedure, as amended (7 CFR Part 900), notice is hereby given that the pub-

lic hearing held at Pittsburg, Kansas, on May 15, 1956, on proposed amendments to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Neosho Valley, marketing area, notice of which was issued on May 3, 1956 (21 F. R. 3082) will be reopened at the Besse Hotel, American Room, Pittsburg, Kansas, beginning at 10 a. m., local time, February 25, 1957.

Producers have requested that the hearing be reopened for a reconsideration of the changes which have occurred in economic and marketing conditions since the original hearing. The producers' proposal to reconsider the type of pooling arrangement affects other related provisions of the order which include, but are not limited to §§ 928.7, 928.62, 928.71, 928.72, 928.92, 928.93, and 928.94.

The purpose of the reopened hearing is to afford interested parties an opportunity to introduce additional evidence on any or all of the original proposals or on any appropriate modifications of such proposals.

Neither the original proposals nor the one involved in the request to reopen the hearing have received the approval of the Secretary.

The proposed amendments are as follows:

By the K. M. O. Milk Producers Association:

The K. M. O. Association requests that the hearing held on Federal Order No. 28, in Pittsburg, Kansas, May 15, 1956, be reopened at the earliest possible date.

Changing marketing conditions which will seriously affect the pooling arrangements proposed at that time have occurred. Specifically, bulk tank development is rapidly changing procurement procedures which will seriously complicate the proposed pooling arrangements and perhaps make an individual plant pooling arrangement nearly impossible to function properly.

By the Dairy Division:

§ 928.59 *Use of equivalent price.* If for any reason a price quotation required

by this part for computing class prices or for any other purpose is not available in the manner described, the market administrator shall use a price determined by the Secretary to be equivalent to the price which is required.

Copies of this notice of reopening of hearing, and the order now in effect, may be procured from the Market Administrator, 523½ North Broadway, Pittsburg, Kansas, or the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Filed at Washington, D. C., this 7th day of February 1957.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 57-1070; Filed, Feb. 11, 1957; 8:49 a. m.]

FEDERAL HOME LOAN BANK BOARD

[24 CFR Part 145]

[No. 10,433]

LIBERALIZING DECLARATION OF EARNINGS

NOTICE OF PROPOSED RULE MAKING

FEBRUARY 6, 1957.

Resolved that pursuant to Part 108 of the general regulations of the Federal Home Loan Bank Board (24 CFR Part 108) and § 142.1 of the rules and regulations for the Federal Savings and Loan System (24 CFR 142.1) it is hereby proposed that, pursuant to section 5, 48 Stat. 132, as amended (12 U. S. C. 1464), Part 145 of the rules and regulations for the Federal Savings and Loan System (24 CFR Part 145) be amended by amendments the substance of which are as follows:

By adding a new section immediately following § 145.1-1 to be numbered 145.1-2 and to read as follows:

§ 145.1-2 *Quarterly distribution of earnings by Charter N or K (rev.) Federal associations upon resolution of*

board of directors. (a) A Federal savings and loan association shall close its books as of June 30 and December 31 of each year, or as of the last business day of each June and December; and shall, at each of such dates, make such credits to its reserves and to its undivided profits account, and shall make such distribution of the remainder of its earnings, as are provided by such association's charter: *Provided, That,* a Federal association which has a charter in the form of Charter N or Charter K (rev.) and has its home office in a State, district, or territory where building and loan or savings and loan associations, homestead associations, cooperative banks, or mutual savings banks, are authorized or permitted by the laws of such State, district, or territory to distribute earnings quarterly, may, following adoption by its board of directors of the following resolution, distribute earnings as of March 31, June 30, September 30, and December 31 of each year, or as of the last business day of each March, June, September, and December, after providing as of March 31 and September 30 for the payment of expenses, and for the pro rata portion of credits to reserves required by section 10 of Charter N and Charter K (rev.) for the six-month period ending on June 30 and December 31, respectively, next succeeding:

Be it resolved, that the association shall distribute net earnings (as defined in section 10 of the Charter) as of March 31, June 30, September 30 and December 31 of each year, in accordance with, and subject to, the provisions of § 145.1-2 of the Rules and Regulations for the Federal Savings and Loan System (24 CFR 145.1-2).

Provided further, That immediately after the adoption of such resolution a copy thereof certified as follows, shall be sent to the Director, Division of Supervision, Federal Home Loan Bank Board, Washington 25, D. C., and to the President of the Federal Home Loan Bank in the district in which said Federal association is located:

The undersigned, by its secretary, hereby certifies that the above resolution was adopted at a meeting of the board of directors duly called, and held on _____, 19____.

In witness whereof, the secretary of the undersigned has hereunto affixed his hand and the seal of the undersigned this ____ day of _____, 19____.

Federal Savings and Loan Association.

By _____

[CORPORATE SEAL]

(b) In the event the resolution providing for quarterly distribution of earnings is subsequently rescinded, a certified copy of such resolution of rescission shall immediately, upon adoption, be sent to the aforesaid Director, Division of Supervision and President of the Federal Home Loan Bank.

(c) As used in this section, the term "State, district, or territory" includes Puerto Rico, Guam, and the Virgin Islands.

Resolved further, that all interested persons are hereby given the opportunity to submit written data, views, or arguments as to whether said proposed amendment should be adopted, should be modified and adopted as modified, or should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue-NW., Washington, D. C., not later than the close of business on March 15, 1957, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL]

HARRY W. CAULSEN,
Secretary.

[F. R. Doc. 57-1064; Filed, Feb. 11, 1957;
8:48 a. m.]

[24 CFR Part 146]

[No. 10,427]

MERGER, DISSOLUTION, REORGANIZATION AND CONVERSION OF FEDERAL SAVINGS AND LOAN ASSOCIATIONS

NOTICE OF PROPOSED RULE MAKING

FEBRUARY 5, 1957.

Resolved that Federal Home Loan Bank Board Resolution No. 10,151, dated November 7, 1956, published in the FEDERAL REGISTER on November 10, 1956 (21 F. R. 8777), is hereby amended to read as follows:

Resolved that, pursuant to Part 108 of the general regulations of the Federal Home Loan Bank Board (24 CFR Part 108) and § 142.1 of the rules and regulations for the Federal Savings and Loan System (24 CFR 142.1), it is hereby proposed that, pursuant to section 5, 48 Stat. 132, as amended (12 U. S. C. 1464), Part 146 of the rules and regulations for the Federal Savings and Loan System (24 CFR Part 146) be amended by an amendment the substance of which is as follows:

Part 146 of the rules and regulations for the Federal Savings and Loan System is hereby amended by amending the heading of said part to read "Merger, Dissolution, Reorganization, and Conversion" and by adding to said part a new § 146.5 and to read as follows:

§ 146.5 *Conversion from Federal to State charter under last paragraph of subsection (i) of section 5 of the Home Owners' Loan Act of 1933.* The following minimum requirements are hereby prescribed for approvals pursuant to the last paragraph of subsection (i) of section 5 of the Home Owners' Loan Act of 1933, as amended:

(a) The conversion shall be effected in accordance with a plan approved by the Board.

(b) The plan shall be submitted to the Board prior to the giving of notice as hereinafter provided.

(c) The association shall give formal notice of a special meeting called to vote on the plan, which notice shall set forth the terms of the plan, the rights of the members, and such other matters as the Board may require.

(d) The plan shall be approved by a vote of not less than two-thirds in withdrawal value of the outstanding shares of the association and not less than two-thirds in number of the votes cast at the meeting aforesaid.

(e) In the event that guaranty or permanent stock or other similar stock is provided for in the plan, the plan shall contain provisions which, in the judgment of the Board, are adequate to assure that each shareholder of record at such date as the plan shall fix with the approval of the Board will be entitled to receive, without any payment, a withdrawable account or accounts in the converted association equal in withdrawal value to the withdrawal value of such shareholder's account or accounts in the Federal association plus (1) an amount of such stock (including scrip for any fractional shares) equal to that proportion of the total amount of such stock which the withdrawal value of such shareholder's account or accounts in the Federal association bears to the total withdrawal value of all accounts in such association or (2), at the option of such shareholder, the full equivalent in cash of the value of such shareholder's interest in the excess of the net assets of the Federal association over the withdrawal value of all accounts in such association, as determined by the Board at the expense of the association. The amount of such stock shall be as required by the Board and shall be at least equal to the minimum amount required by or under the laws of the State. Such scrip shall be issued with such provision for redemption, liquidation, or other disposition thereof as the Board may require.

(f) The plan shall include appropriate provisions, to prevent reduction of the Federal insurance reserve as a result of action under the plan.

Resolved further, that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) Whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the Office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington 25, D. C., not later than March 15, 1957, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL]

HARRY W. CAULSEN,
Secretary.

[F. R. Doc. 57-1063; Filed, Feb. 11, 1957;
8:48 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[No. 74].

YUMA PROJECT, ARIZONA-CALIFORNIA VALLEY AND RESERVATION DIVISIONS

PUBLIC NOTICE ANNOUNCING AVAILABILITY OF WATER FOR PRIVATE LANDS

JANUARY 21, 1957.

1. *Private lands for which water will be available.* In pursuance of the act of June 17, 1902 (32 Stat. 388), and acts amendatory thereof or supplementary thereto, notice is hereby given that upon proper water-right application being made therefor, water will be furnished under the Valley and Reservation Divisions of the Yuma Project, during calendar year 1957 and thereafter, for the following described private lands:

VALLEY DIVISION

GILA AND SALT RIVER BASE AND MERIDIAN, ARIZONA
Township 9 South, Range 24 West

Section	Description	Irrigable acreage
31	Lot 2.....	34.1
	Lot 3.....	31.0
	Lot 6.....	5.5
	Lot 9.....	14.5

Township 10 South, Range 25 West

13	SW $\frac{1}{4}$ NW $\frac{1}{4}$	31.8
	NW $\frac{1}{4}$ SW $\frac{1}{4}$	23.0
	SW $\frac{1}{4}$ SW $\frac{1}{4}$	17.5

Township 11 South, Range 25 West

1	NE $\frac{1}{4}$ NW $\frac{1}{4}$	32.2
	SE $\frac{1}{4}$ NW $\frac{1}{4}$	21.0

¹Excluding those portions presently covered by approved water-right applications.

RESERVATION DIVISION

SAN BERNARDINO BASE AND MERIDIAN, CALIFORNIA
Township 16 South, Range 22 East

Section	Description	Irrigable acreage
27	NE $\frac{1}{4}$ SW $\frac{1}{4}$	35.0
	NE $\frac{1}{4}$ SE $\frac{1}{4}$	26.1
	NW $\frac{1}{4}$ SE $\frac{1}{4}$	39.9
	SW $\frac{1}{4}$ SE $\frac{1}{4}$	3.8
	SE $\frac{1}{4}$ SE $\frac{1}{4}$	13.3

Farm Unit Plats showing the lands described are on file in the office of the Project Manager, Yuma Projects Office, Yuma, Arizona, and in the Land and Survey Office, Bureau of Land Management, at Phoenix, Arizona, and in the Land Office, Los Angeles, California.

2. *Limit of area for which water right may be secured.* The maximum acreage of land in private ownership for which water-right application may be made shall be 160 acres of irrigable land for each landowner.

3. *Application for water rights.* All water-right applications must be made to the Project Manager, Yuma Projects Office, Bureau of Reclamation, Yuma,

Arizona, upon forms provided for that purpose, and may be made on or after the date of this notice.

4. *Construction and other charges on the Valley Division.* The lands in the Valley Division covered by this notice are affected by contracts between the United States of America and Yuma County Water Users' Association, dated May 31, 1906, and February 5, 1931, respectively, copies of which are available for inspection at the office of the Project Manager, Bureau of Reclamation, Yuma, Arizona. Under said contracts, the Association has undertaken the collection and guaranteed to the United States the payment of the following charges which are applicable to each irrigable acre of land on the Valley Division covered by this notice: a construction charge of \$85.00 and operation and maintenance charges as determined by the Secretary of the Interior. Such construction charge shall become due and payable to the United States in thirty equal annual installments as follows: \$2.93 at the time of filing water-right application, and \$2.83 on each December 1 thereafter until all of said construction charge has been paid in full. The estimated annual cost, as determined by the Secretary of the Interior, of operating and maintaining certain irrigation and drainage works and other appurtenant structures utilized for the benefit of lands in the Valley Division, for each calendar year, is payable by the Association to the United States semiannually in advance, the first half thereof being due and payable on or before January 1 of each year and the second half thereof on or before July 1 of each year. Operation and maintenance of other irrigation and drainage works and appurtenant structures were transferred to the Association by contract dated June 15, 1951. Shareholders of the Association are subject to assessments levied by the Association to provide revenues to meet its obligations and expenses. At the time of filing water-right application the landowner will be required to present evidence, satisfactory to the Project Manager, that he is a member of said Association and owns stock in said Association issued with reference to the lands covered by said application, or that application by him for membership in the Association and for the issuance of such stock has been approved by the Association, and that he has paid all charges and/or assessments levied by the Association with respect to said lands.

5. *Construction and other charges on the Reservation Division.* The lands in the Reservation Division covered by this notice are subject to the following charges: a construction charge of \$76.00 per irrigable acre and operation and maintenance charges as determined by the Secretary of the Interior. The said construction charge of \$76.00 per irrigable acre shall become due and payable to the United States as follows: an initial payment of five percentum of said charges shall be made at the time of

filing water-right application, and the remainder of said charges shall be paid in fifteen annual installments, the first five of which shall each be five percentum of said charges, and the remaining ten installments each seven percentum thereof. The first of said fifteen annual installments shall become due and payable December 1 of the fifth calendar year after the initial installment and subsequent installments shall become due and payable on December 1 of each year thereafter. Operation and maintenance charges covering the annual cost of operating and maintaining irrigation and drainage works and other appurtenant structures for the benefit of lands in the Reservation Division shall be payable in such amounts and at such times as may be announced by the United States by public notice.

6. *Increased construction charge in certain cases.* In all cases where water-right application for the lands described in Section 1 hereof shall not be made within one year from the date of this notice, the construction charge for such land shall be increased five percentum each year until such application is made and an initial installment is paid.

7. *Place and manner of payment of charges.* Payment of charges made under the terms of said contract dated February 5, 1931, between the United States and the Yuma County Water Users' Association shall be remitted to Secretary-Manager, Yuma County Water Users' Association, Yuma, Arizona, and those not made under the provisions of such contract shall be payable to Agent-Cashier, Bureau of Reclamation, Yuma, Arizona.

8. *Exclusion of lands by action of Colorado River.* Every water-right application shall contain the following provisions:

The applicant hereby releases the United States from any and all claims for loss or damages on account of (1) the exclusion of said lands or any part thereof from the irrigable lands of said project, or (2) the failure to supply water for the irrigation of any part of the lands hereinbefore described when such exclusion or failure is due to (a) the destruction by flood, erosion, encroachment, or other action of the Colorado River, of the levees erected by the Bureau of Reclamation along the banks of said river, or (b) a change in the location of said levees when such change is considered necessary by the proper officials of the United States to prevent the destruction of said levees from the said causes. Lands so excluded shall be relieved from payment of all construction and of operation and maintenance charges which otherwise would thereafter become due from the lands so excluded, but construction and operation and maintenance charges theretofore paid on lands so excluded shall be retained by the United States.

W. H. TAYLOR,
Regional Director.

[F. R. Doc. 57-1062; Filed, Feb. 11, 1957; 8:48 a. m.]

Office of the Secretary

GLENN E. NIELSON

REPORT OF APPOINTMENT AND STATEMENT OF
FINANCIAL INTERESTS

FEBRUARY 5, 1957.

Pursuant to section 302 (a) of Executive Order 10647, the following information on a WOC appointee in the Department of the Interior is furnished for publication in the *FEDERAL REGISTER*.

Name of appointee: Glenn E. Nielson.

Name of employing agency: Department of the Interior, Office of Oil and Gas.

The title of the appointee's position: Consultant.

The name of the appointee's private employer: Husky Oil Company, Cody, Wyoming.

The statement of "financial interests" for the above appointee is set forth below.

This appointment was approved by the Secretary of the Interior on January 7, 1957.

THOMAS H. TELLIER,
Personnel Officer.

Statement of Financial Interests

1. The names of companies of which I am, or have been within 60 days preceding my appointment, on January 7, 1957, as Consultant, Office of Oil and Gas, United States Department of the Interior, an officer or director, are as follows:

Husky Oil Company.
Trans-Tex Drilling Company.
H. Earl Clack Inc.
Gate City Steel, Inc.—Omaha.
Gate City Steel, Inc.—Boise.
Gate City Steel, Inc.—Denver.
Israel-American Oil Corporation.
Husky Oil & Refining Ltd. (Now Canadian Husky Oil Ltd.).
Canadian Husky Oil Ltd.
Northern Natural Gas Company Ltd.
Cody Enterprise.
Argus Petroleum Corporation.
Marmara Corporation.
Mountain States Drilling Co., Inc.
Northern Natural Gas Company.
Peace River Glass Company Ltd.

2. The names of corporations in which I own, or did own within 60 days preceding my appointment, any stocks, bonds or other financial interests, are as follows:

Husky Oil Company.
Husky Oil & Refining Ltd.
Canadian Husky Oil Company.
Cody Enterprise.
Mountain States Drilling Co., Inc.
Northern Natural Gas Company.
Peace River Glass Company Ltd.

3. The names of partnerships in which I am associated, or have been associated within 60 days preceding my appointment, are as follows:

Cedar Mountain Lodge Ltd.

4. The names of other businesses which I own, or owned within 60 days preceding my appointment, are as follows:

Nielson Ranches.

Dated: January 11, 1957.

GLENN E. NIELSON.

[F. R. Doc. 57-1037; Filed, Feb. 11, 1957;
8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 8427]

MIAMI AIRLINE, INC., R. W. DUFF AND
EFFIE VIRGINIA DUFF, ENFORCEMENT
PROCEEDING

NOTICE OF POSTPONEMENT OF HEARING

Notice is hereby given that a hearing in the above-entitled proceeding now assigned for February 8, 1957, is hereby postponed indefinitely.

Dated at Washington, D. C., February 6, 1957.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.[F. R. Doc. 57-1072; Filed, Feb. 11, 1957;
8:49 a. m.]

[Docket No. 8445]

COMPANIA NACIONAL DE TURISMO AEREO
"CINTA LIMITADA"

NOTICE OF HEARING

In the matter of the application of Compania Nacional de Turismo Aereo "Cinta Limitada" for an amendment of its foreign air carrier permit authorizing (a) designation of New York, New York, as a coterminal point with Miami, Florida, on applicant's route between Chile and the United States; and (b) the transportation of mail, in addition to persons and property, over said route.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 801 of said act, that a hearing in the above-entitled proceeding is assigned to be held on February 18, 1957, at 10 a. m., e. s. t., in Room 1032, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Richard A. Walsh.

Dated at Washington, D. C., February 6, 1957.

[SEAL]

FRANCIS W. BROWN,
Chief Examiner.[F. R. Doc. 57-1073; Filed, Feb. 11, 1957;
8:50 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

AMERICAUTO AND A. C. I., S. A.

ORDER EXTENDING TEMPORARY ORDER
DENYING EXPORT PRIVILEGES

In the matter of: Jacques Bensa, doing business as Americauto, 44 rue Brunel, Paris, France; A. C. I., S. A., also known as Automobile Commerciale Internationale, 1 rue de Rive, Geneva, Switzerland, Respondents.

An order was heretofore issued which, among other things, denied United States export privileges to the above-named respondents (21 F. R. 7703) and the term thereof was extended to January 28, 1957, by a further order issued December 4, 1956 (21 F. R. 9749). An appeal from such order filed by respondents Jacques Bensa and Americauto was heard by the Appeals Board for the Department of Commerce on January 22,

1957. On January 28, 1957, an order was issued extending the temporary order of October 4, 1956 to the extent that it denied United States export privileges to Jacques Bensa, doing business as Americauto, and to A. C. I., S. A., also known as Automobile Commerciale Internationale, for a period of five days beyond the date when the Appeals Board for the Department of Commerce will have rendered its decision on the appeal by Jacques Bensa and Americauto.

The Appeals Board on February 1, 1957, having issued an order denying the appeal of Jacques Bensa, doing business as Americauto, the Bureau of Foreign Commerce Investigation Staff has now applied for a further order to extend the expiration date of the temporary order as it affects the above-named individual companies for an additional period of thirty (30) days from February 6, 1957. This application was considered by the Compliance Commissioner, who has recommended that the application be granted to the extent hereinafter provided.

Now after reading the recommendation of the Compliance Commissioner and considering the entire record herein, and sufficient cause appearing therefor: *It is hereby ordered:*

That the order of October 4, 1956, as extended by orders dated December 4, 1956 and January 28, 1957, to the extent that it denied U. S. export privileges to Jacques Bensa, doing business as Americauto, and to A. C. I., also known as Automobile Commerciale Internationale, is hereby extended for thirty (30) days from the date hereof.

Dated: February 6, 1957.

JOHN C. BORTON,
Director,
Office of Export Supply.[F. R. Doc. 57-1058; Filed, Feb. 11, 1957;
8:48 a. m.]

Federal Maritime Board

ALASKA STEAMSHIP CO. ET AL.

NOTICE OF AGREEMENT FILED WITH THE
BOARD FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U. S. C. 814.

Agreement No. 8173-1, between Alaska Steamship Company, Garrison Fast Freight, Inc. and Consolidated Freightways, Inc. provides for the modification of Agreement No. 8173 by substituting Consolidated Freightways, Inc. as a party in place of Garrison Fast Freight, Inc., and the incorporation of the agreement between Garrison and Consolidated that the former will not compete with the latter in the business of transporting freight to, from or within the Territory of Alaska or the Yukon Territory of Canada for a period of ten years. Agreement No. 8173 between Alaska and Garrison covers the transportation of cargo in trailers and refrigerated vans between Seattle, Washington, and inland

points in Alaska, via Seward or Valdez, Alaska.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the *FEDERAL REGISTER*, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: February 6, 1957.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 57-1030; Filed, Feb. 11, 1957;
8:45 a. m.]

FREDERIC HENJES, JR., INC. AND H. E.
SCHURIG & CO., INC.

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916, 39 Stat. 733, 46 U. S. C. 814.

Agreement No. 8202 between Frederic Henjes, Jr., Inc., New York, New York, and H. E. Schurig & Co., Inc., Houston, Texas, is a cooperative working arrangement between the parties under which they perform freight forwarding services for each other.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the *FEDERAL REGISTER*, written statements with reference to the agreement, and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: February 6, 1957.

By order of the Federal Maritime Board.

GEO. A. VIEHMANN,
Assistant Secretary.

[F. R. Doc. 57-1031; Filed, Feb. 11, 1957;
8:45 a. m.]

Maritime Administration

CALIFORNIA PORTS/FAR EAST

ESSENTIALITY AND U. S. FLAG SERVICE REQUIREMENTS OF TRADE ROUTE NO. 29 CONCLUSIONS AND DETERMINATIONS

Notice is hereby given that on January 30, 1957, the Maritime Administrator, acting pursuant to section 211 of the Merchant Marine Act, 1936, as amended, found and determined that the Trade Route No. 29 conclusions and determinations as published in the *FEDERAL REGISTER* issue of August 30, 1955 (20 F. R. 6361, 21 F. R. 2113) should be amended by adding the following sentence at the end of paragraph 3: "The combination vessel 'President Hoover' (ex-'Panama') is a suitable vessel for operation on

Trade Route No. 29 for an interim period of about four years pending construction and introduction into service of a new passenger liner suitable for long range operation."

Any person, firm or corporation having any interest in the foregoing who desires to offer comments and views thereon should submit same in writing to the Secretary, Maritime Administration, Department of Commerce, Washington 25, D. C., within fifteen (15) days from the date of publication of this notice in the *FEDERAL REGISTER*. The Maritime Administrator will consider these comments and views and take such action with respect thereto as in his discretion he deems warranted.

Dated: February 7, 1957.

By order of the Maritime Administrator.

JAMES L. PIMPER,
Secretary.

[F. R. Doc. 57-1032; Filed, Feb. 11, 1957;
8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11554; FCC 57M-112]

PERRY COUNTY BROADCASTING CO.
(WWOW)

ORDER CONTINUING HEARING

In re application of Claude P. Stephens and Frank L. Jones, d/b as Perry County Broadcasting Company (WWOW), Hazard, Kentucky, Docket No. 11554, File No. BP-9840; for construction permit.

The Hearing Examiner having under consideration a "Joint Petition for Continuance" filed by counsel for applicant and protestant in this proceeding on February 5, 1957;

It appearing, that counsel for the Broadcast Bureau, the only other participant, has no objection to a grant of the relief requested and has consented to the immediate consideration of the pleading; and

It further appearing, that good cause has been shown for the continuance "for a period of at least sixty days," as flood conditions have affected the business offices, business operations, and records of the principals and some of the witnesses involved in the hearings, thus necessitating a period of reorientation;

It is ordered, This 6th day of February 1957, that the hearing now scheduled for February 14, is rescheduled for Monday, April 15, 1957, at 10 a. m., in the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-1059; Filed, Feb. 11, 1957;
8:48 a. m.]

[Docket No. 11786-11788; FCC 57M-113]

WEST SHORE BROADCASTING CO. ET AL.

ORDER CONTINUING HEARING

In re application of Samuel Babbit, Saul Dresner, Leonard Wechsler, Alfred Dresner, Fred Schottland and Robert

Gessner d/b as West Shore Broadcasting Company, Beacon, New York, Docket No. 11786, File No. BP-9821; The Westport Broadcasting Company, Westport, Connecticut, Docket No. 11787, File No. BP-9972; James W. Miller, Milford, Connecticut, Docket No. 11788, File No. BP-10500; for construction permits.

The Hearing Examiner having under consideration a "motion for continuance" filed by counsel for James W. Miller on February 5, 1957;

It appearing, that counsel for the other two applicants and the Broadcast Bureau have no objection to the relief requested in the motion;

It is ordered, This 6th day of February 1957, that the motion is granted, and that:

(1) The date for the exchange of data among the engineers (Tr. 17) is extended from February 5, 1957 to February 26, 1957.

(2) The date for the informal engineering conference (Tr. 17) is continued from February 20 to no later than March 13, 1957.

(3) The date for the exchange of affirmative written cases is extended from March 1 to March 25, 1957.

(4) The date for the further conference is continued from March 13 to April 3, 1957.

(5) The date for the beginning of the evidentiary hearing is continued from April 1 to April 22, 1957.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-1060; Filed, Feb. 11, 1957;
8:48 a. m.]

[Docket Nos. 11883, 11884; FCC 57M-97]

COLLIER ELECTRIC CO. AND AMERICAN TELEPHONE AND TELEGRAPH CO.

ORDER SCHEDULING CONFERENCE AND CONTINUING HEARING

In the matter of the applications of Collier Electric Company, Docket No. 11883, File Nos. 1541/1542/1543-C1-P-56, and American Telephone and Telegraph Company, Docket No. 11884, File Nos. 163/164/165-C1-P-57; for construction permits for point-to-point microwave relay stations at Fort Morgan, Colorado; Sterling, Colorado; and Sidney, Nebraska.

Upon oral request of counsel for Collier Electric Company, an applicant in the above-entitled proceeding: *It is ordered*, This 29th day of January 1957, that all parties, or their attorneys, are directed to appear for a pre-hearing conference, pursuant to the provisions of § 1.813 of the Commission's rules, at the Commission's offices in Washington, D. C., at 10 a. m., February 15, 1957, and the hearing herein presently scheduled for February 18, 1957, is continued to a date to be hereinafter determined.

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 57-1061; Filed, Feb. 11, 1957;
8:48 a. m.]

[Docket Nos. 11858, 11859; FCC 57M-110]

KEN-SELL, INC. AND FLORIDA KEYS
BROADCASTING CORP.

ORDER CONTINUING HEARING

In re applications of Ken-Sell, Inc., Key West, Florida, Docket No. 11858, File No. BP-10242; Florida Keys Broadcasting Corporation, Key West, Florida, Docket No. 11859, File No. BP-10603; for construction permits.

It appearing that the Examiner's work schedule will not permit the above-entitled case to be heard on the date now set;

It is ordered, This 5th day of February 1957, on the Examiner's own motion, that hearing in the above-entitled matter now scheduled for February 13, 1957 is continued to a date to be determined later.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 57-1038; Filed, Feb. 11, 1957;
8:46 a. m.]

[Docket Nos. 11883, 11884; FCC 57M-106]

COLLIER ELECTRIC CO. AND AMERICAN
TELEPHONE AND TELEGRAPH CO.

ORDER SCHEDULING HEARING

In the Matter of the applications of Collier Electric Company, Docket No. 11883, File Nos. 1541/1542/1543-C1-P-56, and American Telephone and Telegraph Company, Docket No. 11884, File Nos. 163/164/165-C1-P-57; for construction permits for point-to-point microwave relay stations at Fort Morgan, Colorado; Sterling, Colorado; and Sidney, Nebraska.

It is ordered, This 5th day of February 1957, on the Hearing Examiner's own motion, that the hearing herein presently continued without date, be, and the same is hereby, set for February 25, 1957, commencing at 10 o'clock a. m. in the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 57-1039; Filed, Feb. 11, 1957;
8:46 a. m.]

[Docket Nos. 11888, 11889; FCC 57M-107]

JEFFERSON COUNTY BROADCASTING CO. AND
KERMIT F. TRACY

ORDER CONTINUING HEARING

In re applications of Louis Alford, Phillip D. Brady and Albert Mack Smith, d/b as Jefferson County Broadcasting Company, Pine Bluff, Arkansas, Docket No. 11888, File No. BP-10528; Kermit F. Tracy, Fordyce, Arkansas, Docket No. 11889, File No. BP-10691; for construction permits.

On January 29, 1957 Kermit F. Tracy filed a Motion for Continuance of Hearing;

It appearing that all other participants have consented to grant of the motion;

It is ordered, This 5th day of February 1957, that hearing in the above-entitled matter now scheduled for February 19, 1957 is continued to March 4, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 57-1040; Filed, Feb. 11, 1957;
8:46 a. m.]

[Docket No. 11900; FCC 57M-105]

MACKAY RADIO AND TELEGRAPH CO., INC.

ORDER CONTINUING HEARING

In the matter of Mackay Radio and Telegraph Company, Inc., Docket No. 11900; Revision of Tariff F. C. C. No. 37 to broaden offer of tieline connections for telex users.

Pursuant to a verbal request made by counsel for Mackay Radio and Telegraph Company, Inc., during the course of a pre-hearing conference in the above-entitled proceeding, held in the offices of this Commission on Friday, February 1, 1957, to which consent was given by all of the other parties to the said proceeding, the date for the hearing therein, now scheduled to commence on Friday, February 15, 1957, is hereby continued until 10 o'clock a. m., on Monday, February 18, 1957, in the offices of this Commission, Washington, D. C.

Dated this 4th day of February 1957.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 57-1041; Filed, Feb. 11, 1957;
8:46 a. m.]

[Docket No. 11924; FCC 57M-103]

BELOIT BROADCASTERS, INC. (WBEL)

ORDER SCHEDULING HEARING

In re application of Beloit Broadcasters, Incorporated (WBEL), Beloit, Wisconsin, Docket No. 11924, File No. BP-10531; for construction permit.

It is ordered, This 4th day of February 1957, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on April 2, 1957, in Washington, D. C.

Released: February 5, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 57-1042; Filed, Feb. 11, 1957;
8:46 a. m.]

[Canadian Change List 108]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND
CORRECTIONS IN ASSIGNMENTS

JANUARY 14, 1957.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, Proposed changes and Corrections in Assignments of Canadian Broadcast Stations Modifying Appendix containing assignments of Canadian Broadcast Stations (Mimeograph 47214-3) attached to the Recommendations of the North American Regional Broadcasting Agreement Engineering Meeting January 30, 1941.

Call letters	Location	Power	Antenna	Schedule	Class	Expected date of change or commencement of operation
CKAC....	Montreal, Quebec.....	730 kilocycles 50 kw.....	DA-1	U	II	Oct. 15, 1957 (PO: 730 kw 10 kw D/5 kw N ND).
CKWX....	Vancouver, British Columbia.....	1150 kilocycles 50 kw.....	DA-N	U	I-B	Oct. 15, 1957 (PO: 980 kw 5 kw DA-1).
CKSA....	Lloydminster, Alberta.....	1150 kilocycles 1 kw.....	DA-2	U	III	Assignment of call letters.
CFAM....	Altona, Manitoba.....	1290 kilocycles 1 kw.....	DA-1	U	III	Assignment of call letters.
CHUC....	Port Hope, Ontario.....	1500 kilocycles 1 kw.....	DA-D	D	II	Assignment of call letters.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 57-1045; Filed, Feb. 11, 1957;
8:46 a. m.]

[Docket Nos. 11925, 11926; FCC M-102]

NORTHWEST BROADCASTERS, INC. AND REV.
HALDANE JAMES DUFF

ORDER SCHEDULING HEARING

In re applications of Northwest Broadcasters, Inc., Bellevue, Washington, Docket No. 11925, File No. BP-10521; Rev.

Haldane James Duff, Seattle, Washington, Docket No. 11926, File No. BP-10638; for construction permits.

It is ordered, This 4th day of February 1957, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 26, 1957, in Washington, D. C.

Released: February 5, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 57-1043; Filed, Feb. 11, 1957;
8:46 a. m.]

[Docket No. 11927; FCC 57M-104]

Q BROADCASTING CO.**ORDER SCHEDULING HEARING**

In re application of Q Broadcasting Company, Phoenix, Arizona, Docket No. 11927, File No. BP-10178; for construction permit.

It is ordered, This 4th day of February 1957, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 4, 1957, in Washington, D. C.

Released: February 5, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 57-1044; Filed, Feb. 11, 1957;
8:46 a. m.]**FEDERAL POWER COMMISSION**

[Docket No. G-9916]

CITY OF CENTRAL CITY, KENTUCKY

NOTICE OF APPLICATION

FEBRUARY 5, 1957.

Take notice that City of Central City, Kentucky (Applicant), a Kentucky municipal corporation with address at Central City, Kentucky, filed an application on January 24, 1956 as amended and supplemented on April 23, October 10, October 30, November 9 and December 10, 1956, pursuant to section 7 (a) of the Natural Gas Act, for an order directing Texas Gas Transmission Corporation (Texas Gas) to establish physical connection of its natural gas transportation facilities with Applicant's proposed natural gas system and to sell natural gas to Applicant for resale and distribution to customers in Central City, South Carrollton, Bremen, Sacramento and Rumsey, Kentucky and environs and to customers located along Applicant's proposed lateral transmission line as hereinafter described, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Applicant proposes to have constructed, own and operate: (1) At an estimated cost of \$280,875, approximately 3.1 miles of 6-inch lateral transmission line extending southeasterly from a point of interconnection with Texas Gas' 26-inch transmission line, located near Kentucky Highway No. 136 and about 2.5 miles northwest of Calhoun, Kentucky, at which point a regulator station will be located, to Rumsey or thereabouts which line then reduces to 4 inches and continues in the same general direction for approximately 22.3 miles through or near Sacramento, Bremen, South Carrollton to Central City, (2) distribution systems together with regulating facilities in Rumsey, Sacramento, Bremen, South Carrollton and Central City at estimated costs of \$10,390, \$14,305, \$8,775, \$8,575, and \$154,805 respectively, and (3) facilities along the lateral line at an estimated cost of \$10,000.

The total estimated cost (including contingencies, interest, fiscal, engineer-

ing and legal fees) of the foregoing project is \$600,000 which will be financed by Applicant through the sale of revenue bonds.

The latest estimated annual gas requirements and peak day gas requirements of the aforesaid proposed system in Mcf at 15.025 psia for the first three years of operation are as follows:

Year	Peak day	Annual
1	852	87,800
2	1,443	147,550
3	2,023 (2,064 @ 14.73)	212,050

Texas Gas filed on March 2, 1956 a request for an extension of time within which to file an Answer to the aforesaid application. This request was subsequently granted by Notice issued March 16, 1956. Thereafter, Texas Gas timely filed on April 23, 1956, pursuant to § 1.9 (a) of the Commission's rules of practice and procedure, an answer to the aforesaid application wherein it states that it has no objection to rendering the service requested by Applicant; Provided: (1) That Applicant establishes the economic feasibility of its project to the satisfaction of the Commission; (2) that Texas Gas be not obligated to render the proposed service until completion of its facilities authorized in Docket No. G-10062; (3) that the maximum daily delivery obligation of Texas Gas to Applicant does not exceed 2,495 M. c. f. at 15.025 psia (2,545 Mcf at 14.73 psia); (4) that the facilities of Applicant necessary to receive, transport, and distribute the gas as proposed are completed not later than June 1, 1957; and (5) that Applicant executes a service agreement acceptable to Texas Gas within 45 days after the issuance of any Commission order authorizing the requested service to be effective upon the commencement of deliveries.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 28, 1957.

[SEAL]

J. H. GUTRIE,
Secretary.[F. R. Doc. 57-1046; Filed, Feb. 11, 1957;
8:46 a. m.]**GENERAL SERVICES ADMINISTRATION****PROCUREMENT OF UTILITY SERVICES
(POWER, GAS, WATER)****AMENDMENT TO STATEMENT OF AREAS OF
UNDERSTANDING BETWEEN THE DEPARTMENT
OF DEFENSE AND THE GENERAL
SERVICES ADMINISTRATION**

On November 2, 1950, the Secretary of Defense and the Administrator of General Services concluded an agreement for Area of Understanding with respect to the respective obligations of their de-

partments or agencies in connection with various matters pertaining to the procurement of public utility services (power, gas, water) and with respect to representation before regulatory agencies (15 F. R. 8227).

By further agreement it is desired to amend paragraph 2f of the agreement of November 2, 1950, to read as follows:

f. Utility services required by the Department of Defense activities in localities within an area where these services are or may become available under a General Services Administration area contract shall be procured thereunder. In those instances, however, where the service demands of a military activity justify negotiation of special rates or service conditions departing from the published tariffs of the utility, separate negotiations may be undertaken by the Department of Defense for appropriate special contracts. Such special contracts shall be reported to the General Services Administration upon execution.

Accordingly, the Area of Understanding is so modified effective this date.

Dated: January 19, 1957.

For the Secretary of Defense.

PERKINS MCGUIRE,
Assistant Secretary of Defense.
(Supply and Logistics).

Dated: January 10, 1957.

F. G. FLOETE,
Administrator of General Services.[F. R. Doc. 57-1108; Filed, Feb. 11, 1957;
8:51 a. m.]**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 24SF-1901]

CHEMICAL AND FIBRE ASSOCIATES, INC.**ORDER TEMPORARILY SUSPENDING EXEMPTION,
STATEMENT OF REASONS THEREFOR,
AND NOTICE OF OPPORTUNITY FOR HEARING**

FEBRUARY 6, 1957.

I. Chemical and Fibre Associates, Inc., 139 North Virginia Street, Reno, Nevada, filed with the Commission on April 16, 1954, a Notification on Form 1-A and an Offering Circular relating to a proposed offering of 8,750 shares of its \$10 common capital stock at \$10 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject corporation in that it has failed since the 5th day of April 1955, to file 2-A reports of sales as required by Rule 224 under Regulation A, and has ignored requests by the Commission's staff for such reports.

III. It is ordered, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-1043; Filed, Feb. 11, 1957;
8:47 a. m.]

[File No. 24SF-1924]

ARIZONA CHEESE & CATTLE CO., INC.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

FEBRUARY 6, 1957.

I. Arizona Cheese & Cattle Company, Inc., 312 W. Lynwood Street, Phoenix, Arizona, filed with the Commission on June 11, 1954, a Notification on Form 1-A and an Offering Circular relating to a proposed offering of 100 5 percent convertible debentures, at \$500 per debenture, 5,000 shares of 6 percent convertible preferred stock, \$10 par, at \$10 per share, and 5,300 shares of \$10 par common stock at \$10 per share, for a total issue of \$153,000, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject corporation in that it has failed to file 2-A reports of sales as required by Rule 224 under Regulation A since the 15th day of February 1955, and has ignored requests by the Commission's staff for such reports.

III. *It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and

place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-1049; Filed, Feb. 11, 1957;
8:47 a. m.]

[File No. 24SF-2041]

KWIK-FIZZ

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

FEBRUARY 6, 1957.

I. Kwik-Fizz, a California corporation, 3 Morlan Place, Arcadia, California, filed with the Commission on March 14, 1955, a Notification on Form 1-A and an Offering Circular relating to a proposed offering of 200,000 shares, \$1 par, at \$1 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A thereunder.

II. The Commission has reasonable cause to believe that the terms and conditions of Regulation A have not been complied with by the subject corporation in that it has failed to file any 2-A reports of sales as required by Rule 224 under Regulation A and has ignored requests by the Commission's staff for such reports.

III. *It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own motion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-1050; Filed, Feb. 11, 1957;
8:47 a. m.]

[File No. 24SF-2132]

AMALGAMATED AMERICAN OIL INC.

ORDER TEMPORARILY SUSPENDING EXEMPTION, STATEMENT OF REASONS THEREFOR, AND NOTICE OF OPPORTUNITY FOR HEARING

FEBRUARY 6, 1957.

I. Amalgamated American Oil, Incorporated, 103 S. Third Street, Las Vegas,

Nevada, 800 N. Broadway, Santa Ana, California, and 541 S. Spring Street, Los Angeles, California, filed with the Commission on August 8, 1955 a Notification on Form 1-A and an Offering Circular relating to a proposed offering of 300,000 shares of its \$1 par value common stock at \$1 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of section 3 (b) thereof and Regulation A thereunder.

II. The Commission has cause to believe that the terms and conditions of Regulation A have not been complied with by the subject corporation in that it has failed to file any Form 2-A reports of sales as required by Rule 224 under Regulation A and has ignored requests by the Commission's staff for such reports.

III. *It is ordered*, Pursuant to Rule 223 (a) of the general rules and regulations under the Securities Act of 1933, as amended, that the exemption under Regulation A be, and it hereby is, temporarily suspended.

Notice is hereby given, that any persons having any interest in the matter may file with the Secretary of the Commission a written request for hearing; that, within 20 days after receipt of such request, the Commission will, or at any time upon its own notion may, set the matter down for hearing at a place designated by the Commission for the purpose of determining whether this order of suspension should be vacated or made permanent, without prejudice, however, to the consideration and presentation of additional matters at the hearing; and that notice of the time and place of said hearing will be promptly given by the Commission.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 57-1051; Filed, Feb. 11, 1957;
8:47 a. m.]

UNITED STATES TARIFF COMMISSION

[Investigation 58]

BICYCLES

INVESTIGATION AND PUBLIC HEARING

A public hearing will be held by the United States Tariff Commission in the Hearing Room, Tariff Commission Building, 8th and E Streets, N. W., Washington, D. C., beginning at 10 a. m., e. s. t., on April 9, 1957, in Investigation No. 58 under section 7 of the Trade Agreements Extension Act of 1951, as amended, with respect to bicycles described in the notice of the institution of this investigation which was previously given (22 F. R. 683).

Requests to appear. All parties interested will be given an opportunity to be present, to produce evidence, and to be heard at the hearing. Parties desiring to appear at this public hearing should notify the Secretary of the Tariff Commission in writing at its office in Wash-

ington, D. C., at least three days in advance of the date set for the hearing.

Issued: February 7, 1957.
By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 57-1065; Filed, Feb. 11, 1957;
8:48 a. m.]

WHISKEY

INVESTIGATION INSTITUTED

Pursuant to a resolution approved by the Committee on Finance of the United States Senate on February 6, 1957, the United States Tariff Commission, on the 7th day of February 1957, instituted an investigation under the provisions of section 332 of the Tariff Act of 1930, as amended, of the whiskey industry of the United States.

The resolution directs the Commission to report the results of its investigation to the Senate Finance Committee and to set forth in the report the facts affecting the relative competitive position of foreign-owned and domestically-owned whiskey distilleries, including the impact of trade practices, methods of distribution, and imports on American-owned distilleries.

A public hearing at which all interested parties will be given opportunity to be present, to produce evidence, and to be heard will be held in connection with this investigation. The time and place of such hearing will be announced at a future date.

Issued: February 7, 1957.

By order of the Commission.

[SEAL] DONN N. BENT,
Secretary.

[F. R. Doc. 57-1066; Filed, Feb. 11, 1957;
8:48 a. m.]

INTERSTATE COMMERCE
COMMISSION

[Sec. 5a Application 63]

EASTERN TANK CARRIERS

AGREEMENT

FEBRUARY 7, 1957.

The Commission is in receipt of the above-entitled and numbered application for approval of an agreement under the provisions of section 5a of the Interstate Commerce Act.

Filed: February 4, 1957, by: John C. Wisener, Jr., Attorney-in-Fact, 624 Schaff Bldg., 1505 Race Street, Philadelphia 2, Pa.

Agreement involved: An agreement between and among common carriers by motor vehicle relating to rates, ratings, classifications, rules, regulations and practices governing the transportation of commodities, in bulk, in tank vehicles in interstate or foreign commerce between points in official and southern territories, also points in Texas, Kansas, Missouri, Iowa, and Minnesota, and procedures for the joint initiation, consideration, and establishment thereof.

The complete application may be inspected at the office of the Commission in Washington, D. C.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 20 days from the date of this notice. As provided by the general rules of practice of the Commission, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 57-1047; Filed Feb. 11, 1957;
8:46 a. m.]

